

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

GARRICK GEORGE SMITH,

Petitioner,

v.

PATRICIA CARUSO,

Respondent.

Case No. 2:03-CV-196

Hon. Richard Alan Enslen

FINAL ORDER

In accordance with the Opinion of this date;

IT IS HEREBY ORDERED that Petitioner Garrick George Smith's Objections (Dk. No. 34) are **DENIED**, the Report and Recommendation (Dkt. No. 33) is **ADOPTED**, and the Petition for Writ of Habeas Corpus is **DISMISSED WITH PREJUDICE on the merits**.

IT IS FURTHER ORDERED that a certificate of appealability is **DENIED** pursuant to 28 U.S.C. § 2253(c) as to all grounds asserted in the Petition.

DATED in Kalamazoo, MI:
December 16, 2005

/s/ Richard Alan Enslen
RICHARD ALAN ENSLEN
SENIOR UNITED STATES DISTRICT JUDGE